

REMARKS

A telephonic interview was held on July 19, 2005 between Examiner Joseph Thomas and Applicant's representative Jack Friedman. In the interview, the claim rejections under 35 U.S.C. §112, second paragraph and under 35 U.S.C. §101. in the office action mailed June 17, 2005 were discussed. Agreement was reached on claim language that overcomes the rejections under 35 U.S.C. §112, second paragraph. Agreement was reached on features to be added to claim 1 to overcome the rejections under 35 U.S.C. §101.

Applicant has amended claim 1 to incorporate the limitations of claim 42.

The Examiner rejected claims 1, 3-4, 7, 13, 15-16, and 24-54 under 35 U.S.C. §112, second paragraph.

The Examiner rejected claims 1, 3-4, 7, and 42-47 under 35 U.S.C. §101.

Applicant respectfully traverses the §112 and §101 rejections with the following arguments.

35 U.S.C. §112, Second Paragraph

The Examiner rejected claims 1, 3-4, 7, 13, 15-16, and 24-54 under 35 U.S.C. §112, second paragraph, alleging: "Claims 1, 13, and 24 recite "not being moveable directly." It is respectfully submitted that it is unclear whether this means that the asset is not capable of being moved (i.e., physically cannot be moved) or whether the asset cannot be moved between sites. "

In response, Applicants have amended the claims in a manner reflective of the agreement reached in the aforementioned telephonic interview held on July 19, 2005 with respect to overcoming the 35 U.S.C. §112, second paragraph rejections.

Accordingly, Applicant respectfully requests that the rejections under 35 U.S.C. §112, second paragraph be withdrawn.

35 U.S.C. §101

The Examiner rejected claims 1, 3-4, 7, and 42-47 under 35 U.S.C. §101, alleging: "The recitation of a "recording... in an electronic database" appears to be a trivial use of technology. It appears that the electronic database is simply used to record data.... Although the recited process produces a useful, concrete, and tangible result, since the claimed invention as a whole, is not within the technological arts as explained above, claim 1 is deemed to be directed to non-statutory subject matter."

In response, Applicants have amended claim 1 in a manner reflective of the agreement reached in the aforementioned telephonic interview held on July 19, 2005 with respect to overcoming the 35 U.S.C. §101 rejections.

Accordingly, Applicant respectfully requests that the rejections under 35 U.S.C. §101 be withdrawn.

CONCLUSION

Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or Deposit Account 09-0457.

Date: 07/21/2005

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